

IN RE: PETITION FOR SPECIAL HEARING  
SE/Corner Belair Road and  
Chesley Avenue  
(6908 Belair Road)  
14th Election District  
6th Councilmanic District  
Laurence A. Stappler, et ux  
Petitioners

\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-218-SPH

AMENDED ORDER

WHEREAS, the Petitioners requested a special hearing to approve the nonconforming use of the subject property as a catering hall with associated parking area, in accordance with the plan submitted and identified as Petitioner's Exhibit 1,

WHEREAS, the relief requested was granted by Order issued January 23, 1990,

WHEREAS, pursuant to the receipt of a written request for clarification from Counsel for Petitioners as to a discrepancy in the Order regarding the zoning of the subject property and Petitioner's Exhibits,

IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of February, 1990 that the Order issued January 23, 1990 be and the same is hereby AMENDED to reflect that the subject property is zoned B.L.-C.C.C. in its entirety, and the relief granted therein is based upon the property as depicted in Petitioner's Exhibits 1 and 2, and not limited to Petitioner's Exhibit 1, only.

IT IS FURTHER ORDERED that all other conditions and restrictions contained in the Order issued January 23, 1990 shall remain in full force and effect.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs  
cc: Keith S. Franz, Esquire  
401 Washington Avenue, Suite 502, Towson, Md. 21204  
People's Counsel; File

IN RE: PETITION FOR SPECIAL HEARING  
SE/Corner Belair Road and  
Chesley Avenue  
(6908 Belair Road)  
14th Election District  
6th Councilmanic District  
Laurence A. Stappler, et ux  
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\* BEFORE THE  
\* ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 90-218-SPH

FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a special hearing to approve the nonconforming use of the subject property as a catering hall with associated parking area, as more particularly described in Petitioner's Exhibit 1.

The Petitioners, by Laurence Stappler, appeared, testified and were represented by Keith S. Franz, Esquire. Also appearing in support of the Petition were Robert S. Rosenfelt, Engineer with Rosenfelt & Woolfolk, John K. Kelly, representing the Overlea Community Association, Inc., and Mary E. Jones, Antoinette M. Maas, and Ann Curran, all residents of the area. There were no Protestants.

Testimony indicated that the subject property, known as 6809 Belair Road, consists of .89 acres more or less split zoned B.L.-C.C.C. and D.R. 5.5, and is improved with a one story building which is the site of the Overlea North catering hall. Mr. Stappler testified the subject building was constructed in 1908 and has been used as a catering hall since approximately 1950. He testified he purchased the property in 1977 at which time it was known as Konig Hall. Petitioners propose expanding the subject building by constructing a one story addition on the northeast corner of the existing structure to provide a foyer, restrooms and closet space. However, due to the fact that a catering establishment is not a permitted use in the B.L. zones under the current zoning regulations, Petitioners filed the instant Petition for Special Hearing to determine a

nonconforming use of the subject property. Testimony presented by Ms. Jones, Ms. Maas, and Ms. Curran indicated that the subject property has been used continuously and without interruption as a catering establishment since approximately 1940. In further support of Petitioners' request, John Kelly, on behalf of the Overlea Community Association, Inc., testified that the Association is in favor of the relief requested.

As with all non-conforming use cases, the first task is to determine what lawful non-conforming use existed on the subject property prior to January 2, 1945, the effective date of the adoption of the Zoning Regulations and the controlling date for the beginning of zoning. In this case, the catering hall pre-dates January 2, 1945 and is a lawful use.

The second principle to be applied, as specified in Section 104.1, is whether or not there has been a change in the use of the subject property. A determination must be made as to whether or not the change is a different use, and therefore, breaks the continued nature of the non-conforming use. If the change in use is found to be different than the original use, the current use of the property shall not be considered non-conforming. See McKenny v. Baltimore County, Md., 39 Md. App. 257, 385 A.2d. 96 (1978). There does not appear to have been any change or lapse in continued use of the catering hall. The evidence and testimony tends to establish a nonconforming use as that term is defined in Section 101 of the B.C.Z.R. The testimony clearly supports a finding that this catering hall complies with all of the requirements of Section 104 of the B.C.Z.R.

After due consideration of the testimony and evidence presented at the hearing, in the opinion of the Zoning Commissioner, the subject property has been used continuously and without interruption as a catering

establishment since prior to the effective date of the zoning regulations and as such, a legal nonconforming use of the property exists.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested in the Petition for Special Hearing should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 23rd day of January, 1990 that the Petition for Special Hearing to approve the nonconforming use of the subject property as a catering hall with associated parking area, in accordance with Petitioner's Exhibits 1 and 2, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 897-3353  
J. Robert Haines  
Zoning Commissioner

January 23, 1990

Keith S. Franz, Esquire  
401 Washington Avenue  
Towson, Maryland 21204

RE: PETITION FOR SPECIAL HEARING  
SE/Corner Belair Road and Chesley Avenue  
(6908 Belair Road)  
14th Election District - 6th Councilmanic District  
Laurence A. Stappler, et ux - Petitioners  
Case No. 90-218-SPH

Dear Mr. Franz:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 897-3391.

Very truly yours,  
J. Robert Haines  
Zoning Commissioner  
for Baltimore County

JRH:bjs  
cc: People's Counsel  
File

PETITION FOR SPECIAL HEARING  
TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY: 90-218-SPH

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve pursuant to Section 104.1 of the Baltimore County Zoning Regulations the existence of a Non-Conforming Use as a catering hall and associated parking area for the property known as 6809 Belair Road, containing 11.18 acres.

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney for Petitioner:  
(Type or Print Name)  
Signature  
Address  
City and State  
Attorney's Telephone No.: (301) 821-6800

Legal Owner(s):  
Laurence A. & Beverly R. Stappler and Overlea Caterers, Inc.  
(Type or Print Name)  
Signature  
(Type or Print Name)  
Signature  
Address  
City and State  
Name, address and phone number of legal owner, tract purchaser or representative to be contacted  
Laurence A. Stappler  
Name  
6809 Belair Road  
Address  
Towson, MD 21204  
Phone No. 688-6600

ORDER RECEIVED FOR FILING  
Date  
By

ORDERED By The Zoning Commissioner of Baltimore County, this 22nd day of Sept, 1989, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 108, County Office Building in Towson, Baltimore County, on the 8th day of Dec, 1989, at 2 o'clock P.M.

J. Robert Haines  
Zoning Commissioner of Baltimore County

ECO-No. 1 (over)

DESCRIPTION TO ACCOMPANY SPECIAL HEARING APPLICATION

DESCRIPTION OF PART OF PARCEL 748.  
TAX MAP 81, GRID 15

6908 BELAIR ROAD  
BALTIMORE, MARYLAND 21206  
14th ELECTION DISTRICT  
BALTIMORE COUNTY, MARYLAND 21206

DATE: AUGUST 8, 1989

DESCRIPTION:

Beginning for the same at the southwest corner of Belair Road, 60 feet wide, and Chesley Avenue, 50 feet wide, said point being located approximately South 78 degrees 30 minutes West 50 feet from the center line intersections of said roads, thence leaving the place of beginning and running with and binding on the west side of Belair Road

- 1) South 41 degrees 25 minutes 40 seconds West 244.11 feet, thence leaving said road and running the four following courses viz:
- 2) North 71 degrees 22 minutes 40 seconds West 121.82 feet.
- 3) North 18 degrees 37 minutes 20 seconds East 80.00 feet.
- 4) North 71 degrees 22 minutes 40 seconds West 4.00 feet.
- 5) North 20 degrees 12 minutes 09 seconds East 145.06 feet to the southerly side of the aforesaid Chesley Avenue, thence running with and binding on said road
- 6) South 71 degrees 22 minutes 40 seconds East 216.30 feet to the place of beginning.

Containing 38629 square feet (0.89 acre) of land, more or less.

This description is intended for zoning purposes only and not for the conveyance of land.

F:\JOBS\200-224\223\22301DOC.DOC

ROSENFELT & WOOLFOLK  
SUITE 8  
10708 REISTERSTOWN RD.  
OWINGS MILLS, MARYLAND 21113

BALTIMORE COUNTY, MARYLAND  
OFFICE OF FINANCE - REVENUE DIVISION  
MISCELLANEOUS CASH RECEIPT

DATE 2/1/89 ACCOUNT 800-615-000

AMOUNT \$ 175.00

RECEIVED FROM TOWSON COUNTY

FOR TOWSON COUNTY

B BTT \*\*\*\*\*175.00

VALIDATION OR SIGNATURE OF CASHIER

Tracking System

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning

Date Receipt FEE  
Day Month Year Number TYPE Identification Number

5908817494042 11-15 61421204

Petitioner: STAPLER (Last) OVERLEA CATERERS (First)

Property Address: 6908 BELAIR RD (Number) (Street)



# BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

November 27, 1989

Keith S. Franz, Esquire  
401 Washington Avenue  
Towson, MD 21204

RE: Item No. 60, Case No. 90-218-SPH  
Petitioner: Laurence A. Stappler, et ux  
Petition for Special Hearing

Dear Mr. Franz:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning as requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,

*James E. Dyer*  
JAMES E. DYER  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

cc: Mr. & Mrs. Laurence A. Stappler  
6909 Belair Road  
Baltimore, MD 21206

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353

J. Robert Haines  
Zoning Commissioner



Dennis F. Rasmussen  
County Executive

Your petition has been received and accepted for filing this  
22nd day of September, 1989.

*J. Robert Haines*  
J. ROBERT HAINES  
ZONING COMMISSIONER

Received By:

Chairman,  
Zoning Plans Advisory Committee

Petitioner: Laurence A. Stappler, et al

Petitioner's Attorney: Keith S. Franz



Maryland Department of Transportation  
State Highway Administration

Richard H. Trainor  
Secretary  
Hal Kassoff  
Administrator

August 16, 1989 AUG 18 1989

RECEIVED

ZONING OFFICE

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Re: Baltimore County  
Laurence A. Stappler  
Property  
Zoning Meeting of 8-22-89  
S/E/C of Belair Road  
(Rte. 1-N) & Chesley Ave.  
(Item #60)

Attn: Mr. James Dyer

Dear Mr. Haines:

After reviewing the submittal for a Special Hearing to approve the existence of a non-conforming use as a catering hall and associated parking area, we find the plan acceptable.

If you have any questions, please contact Larry Brocato at 333-1350.

Very truly yours,

*Gregory J. Mills, Jr.*  
Gregory J. Mills, Jr., Chief  
Engineering Access Permits  
Division

LB:maw

cc: Rosenfelt & Woolfolk, Inc.  
Mr. J. Ogle

My telephone number is (301) 333-1350 (Fax #333-1041)

383-7555 Baltimore Metro - 585-0431 D.C. Metro - 1-800-492-5082 Statewide Toll Free  
707 North Calvert St., Baltimore, Maryland 21203-0717

Baltimore County  
Department of Public Works  
Bureau of Traffic Engineering  
County Office Building  
Towson, Maryland 21204  
(301) 887-3554

RECEIVED  
AUG 31 1989

ZONING OFFICE

August 25, 1989



Dennis F. Rasmussen  
County Executive

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 50, 56, 57, 59, 60, 61, 62, 63, 64, and 569.

Very truly yours,

*Michael S. Flanagan*  
Michael S. Flanagan  
Traffic Engineer Associate II

MSF/lw

BALTIMORE COUNTY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION AND RESOURCE MANAGEMENT

8/23/89  
Date

Zoning Commissioner  
Office of Planning and Zoning  
County Office Building  
Towson, Maryland 21204

Zoning Item # 60, Zoning Advisory Committee Meeting of August 23, 1989  
Property Owner: Laurence A. Stappler et ux and Overlea Caterers, Inc.  
Location: SEC Belair Rd. and Chesley Ave. District: 14

Water Supply: Metro Sewage Disposal: Metro

COMMENTS ARE AS FOLLOWS:

- (X) Prior to approval of a Building Permit for construction, renovation and/or installation of equipment for any existing or proposed food service facility, complete plans and specifications must be submitted to the Plans Review Section, Bureau of Regional Community Services, for final review and approval.
- ( ) Prior to new installation(s) of fuel burning equipment, the owner shall contact the Bureau of Air Quality Management, 887-3775, to obtain requirements for such installation(s) before work begins.
- ( ) A permit to construct from the Bureau of Quality Management is required for such items as spray paint processes, underground gasoline storage tank(s) (5,000 gallons or more) and any other equipment or process which exhausts into the atmosphere.
- ( ) A permit to construct from the Bureau of Air Quality Management is required for any charcoal generation which has a total cooking surface area of five (5) square feet or more.
- ( ) Prior to approval of a Building Permit Application for renovations to existing or construction of new health care facilities, complete plans and specifications of the building, food service area and type health care facilities, must be submitted to the Plans Review and Approval Section, Division of Engineering and Maintenance, State Department of Health and Mental Hygiene for review and approval.
- ( ) Prior to any new construction or substantial alteration of public swimming pool, wading pool, bathhouse, saunas, whirlpools, hot tubs, water and sewerage facilities or other appurtenances pertaining to health, safety, two (2) copies of plans and specifications must be submitted to the Baltimore County Department of Environmental Protection and Resource Management for review and approval. For more complete information, contact the Water Quality Monitoring Section, Bureau of Regional Community Services, 687-6500 x 315.
- ( ) Any abandoned underground storage tanks containing gasoline, waste oil, solvents, etc., must have the contents removed by a licensed hauler and tank removed from the property or properly backfilled. Prior to removal or abandonment, owner must contact the Division of Waste Management at 887-3745.
- ( ) Soil percolation tests, have been conducted, must be conducted.
- ( ) The results are valid until
- ( ) Soil percolation test results have expired. Petitioner should contact the Division of Water and Sewer to determine whether additional tests are required.
- ( ) Where water wells are to be used as a source of water supply, a well meeting the minimum Baltimore County Standards must be drilled.
- ( ) In accordance with Section 13-117 of the Baltimore County Code, the water well yield test
- ( ) shall be valid until
- ( ) is not acceptable and must be retested. This must be accomplished prior to conveyance of property and approval of Building Permit Applications.
- ( ) Prior to occupancy approval, the potability of the water supply must be verified by collection of bacteriological and chemical water samples.
- ( ) If submission of plans to the County Review Group is required, a Hydrogeological Study and an Environmental Effects Report must be submitted. For more information contact the Division of Environmental Management at 887-3980.
- ( ) In order to subdivide this property, the owner or developer will be required to comply with the subdivision regulations of the State of Maryland and Baltimore County. If there are any questions regarding the subdivision process, please contact the Land Development Section at 887-2762.
- ( ) Others

*John J. Kelly*  
BUREAU OF WATER QUALITY AND RESOURCE MANAGEMENT

Baltimore County  
Fire Department  
Towson, Maryland 21204-2586  
494-4500

Paul H. Reincke  
Chief



Dennis F. Rasmussen  
County Executive

J. Robert Haines, Zoning Commissioner  
Office of Planning & Zoning  
Baltimore County Office Building  
Towson, Maryland 21204

Re: Property Owner: Laurence A. Stappler, et ux and Overlea Caterers, Inc.  
Location: SEC Belair Road and Chesley Avenue

Item No.: 60

Zoning Agenda: August 22, 1989

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

- (X) 1. Fire hydrants for the referenced property are required and shall be located at intervals of 300 feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.
- ( ) 2. A second means of vehicle access is required for the site.
- ( ) 3. The vehicle dead end condition shown at
- EXCEEDS the maximum allowed by the Fire Department.
- ( ) 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- (X) 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code," 1976 edition prior to occupancy.
- ( ) 6. Site plans are approved, as drawn.
- ( ) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John J. Kelly*  
Planning Group  
Special Inspection Division

/s/

NOTED & APPROVED: *John J. Kelly*  
Fire Prevention Bureau

RECEIVED  
DEC 4 1989

BALTIMORE COUNTY, ZONING OFFICE  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: December 4, 1989

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: Zoning Petition No. 90-218-SPH, Item 60  
Laurence A. and Beverly R. Stappler  
and Overlea Caterers, Inc.

The Petitioners request a Special Hearing to approve the existence of a non-conforming catering hall and parking area at the subject location.

Based upon an analyses of the plat submitted and review of information provided, staff supports the Petitioners' request.

Should the petition be granted, the following site refinements are recommended:

- The dumpster shall be enclosed and screened.
- Landscaping along Chesley Avenue should be increased to provide an adequate buffer to the existing single-family detached dwellings.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK:JL:gg1  
90218/2AC1

AGF  
AZRAEL, GANN AND FRANZ

ATTORNEYS AT LAW

February 9, 1990

EDWARD AZRAEL  
JONATHAN A. AZRAEL  
KEITH S. FRANZ  
PAUL J. SCHWAB

MARK S. COHEN  
JUDSON H. LEWIS  
SARAH H. TERLAP  
MYLES E. LACKEY  
H. DAVID GANN (1985-1989)

The Honorable J. Robert Haines  
Zoning Commissioner for Baltimore County  
County Office Building  
Room 109  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Re: Case No.: 90-218-SPH  
Special Hearing Belair Road and Chesley Avenue - 6908 Belair Road  
Laurence A. Stappler, Petitioner

Dear Mr. Haines:

I sincerely appreciate your prompt order in the above-referenced matter. In showing the opinion to my client, Laurence Stappler, he pointed out that in the third paragraph you indicate that the property is split zoned B.L.-C.C.C. and D.K. 5.5. In fact, the entire property is zoned B.L.-C.C.C.

My client and I are both concerned that an improper reference to the zoning that is in a final order of a Baltimore County official may be confusing should some later reference be made to the property by the Zoning Office or some other County official. Pursuant to the advisory authority that you are permitted, I respectfully request that a short revised opinion or supplemental opinion be provided to clear up this inadvertent mistake.

I sincerely appreciate your assistance in providing the clearest and most accurate record in this matter.

Very truly yours,

*AGF*  
AGF, GANN AND FRANZ

Keith S. Franz

KSF/krk

cc: Mr. Laurence A. Stappler

401 WASHINGTON AVENUE • SUITE 502 • TOWSON, MARYLAND 21204 • (301) 821-6800  
FAX (301) 821-1265



NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Petition for Special Hearing  
Case Number: 90-218-SPH  
SEC Belair Road and Chesley Avenue  
6808 Belair Road  
14th Election District - 8th Councilmanic  
Petitioner(s): Lawrence A. Stappler, et ux and Overlea Caterers, Inc.  
HEARING: FRIDAY, DECEMBER 8, 1989 at 2:00 p.m.  
NOTE:  
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3301 to confirm hearing date.)  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
NOV 23 1989

### CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in the NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER, weekly newspapers published in Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 23, 1989.

NORTHEAST TIMES BOOSTER and the NORTHEAST TIMES REPORTER

S. Zebe Orlean

Publisher

NOTICE OF HEARING  
The Zoning Commission of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:  
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NOTE:  
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3301 to confirm hearing date.)  
J. ROBERT HAINES  
Zoning Commissioner of Baltimore County  
NOV 23 1989

### CERTIFICATE OF PUBLICATION

TOWSON, MD., November 28, 1989  
THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Nov 23, 1989.

THE JEFFERSONIAN,

S. Zebe Orlean

Publisher

### CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY  
Towson, Maryland

District: 14th  
Posted for: Special Hearing  
Petitioner: Lawrence A. Stappler, et ux & Overlea Caterers, Inc.  
Location of property: SEC Belair Rd & Chesley Ave  
6808 Belair Rd  
Location of sign: Corner intersection of Belair Rd & Chesley Ave  
approx. 12' from Belair Rd, on property of Baltimore  
Remarks: See above  
Posted by: [Signature]  
Number of Signs: 1

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

Mr. & Mrs. Lawrence A. Stappler  
Overlea Caterers, Inc.  
6808 Belair Road  
Baltimore, Maryland 21206

Re: Petition for Special Hearing  
CASE NUMBER: 90-218-SPH  
SEC Belair Road and Chesley Avenue  
6808 Belair Road  
14th Election District - 8th Councilmanic  
Petitioner(s): Lawrence A. Stappler, et ux and Overlea Caterers, Inc.  
HEARING: FRIDAY, DECEMBER 8, 1989 at 2:00 p.m.

Dear Petitioners:

Please be advised that \$ 114.83 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE.

Baltimore County  
Zoning Commissioner  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150

Number: No 855

90-218

Date: 1/05/90

MP000316

PUBLIC HEARING FEES

QTY

PRICE

079 - LOST SIGN AND POST FEE

1 X

\$50.00

LAST NAME OF OWNER: STAPPLER

TOTAL: \$50.00

B 077\*\*\*\*\*5000:a 508KF  
Please make checks payable to: Baltimore County

Cashier Validation:

Cashier Validation:

receipt

Baltimore County  
Zoning Commissioner  
Office of Planning & Zoning  
Towson, Maryland 21204  
(301) 887-3353  
J. Robert Haines  
Zoning Commissioner

November 8, 1989

### NOTICE OF HEARING

Dennis F. Rasmussen  
County Executive

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 108 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland as follows:

Petition for Special Hearing  
CASE NUMBER: 90-218-SPH  
SEC Belair Road and Chesley Avenue  
6808 Belair Road  
14th Election District - 8th Councilmanic  
Petitioner(s): Lawrence A. Stappler, et ux and Overlea Caterers, Inc.  
HEARING: FRIDAY, DECEMBER 8, 1989 at 2:00 p.m.

Special Hearings to approve the existence of a non-conforming use as a catering hall and associated parking area.

In the event that this Petition is granted, a building permit may be issued within the thirty (30) day appeal period. The Zoning Commissioner will, however, entertain any request for a stay of the issuance of said permit during this period for good cause shown. Such request must be in writing and received in this office by the date of the hearing set above or presented at the hearing.

NOTE:  
(If "PHASE II" of the "SNOW EMERGENCY PLAN" is in effect in Baltimore County on the above hearing date, the hearing will be postponed. In the event of snow, telephone 887-3301 to confirm hearing date.)

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

JRH:gs  
cc: Mr. & Mrs. Stappler  
Keith S. Franz, Esq.  
File

Signet Bank/Maryland  
Overlea Office  
6817 Belair Road  
Baltimore Maryland 21206  
301-332-8223

SIGNET

August 4, 1989

Overlea Caterers, Inc.  
6808 Belair Road  
Baltimore, Md. 21206

Dear Overlea Caterers,

Signet Bank has agreed to allow Overlea Caterers, Inc. customers to use 26 parking spaces on the parking lot adjacent to the Bank on 6817 Belair Road, Baltimore, Maryland 21206 during non-banking hours. The normal banking hours are: Monday-Thursday 9-2  
Friday 9-2 and 4:30-7:30  
And by appointment

Sincerely,

Mary C. Bischofsberger  
Overlea Branch Manager

### AGREEMENT OF SETTLEMENT

THIS AGREEMENT OF SETTLEMENT made this \_\_\_\_\_ day of \_\_\_\_\_, 1989, by and between OVERLEA COMMUNITY ASSOCIATION, INC., a body corporate of the State of Maryland, and Larry Stappler and Beverly Stappler, the first being hereinafter called the "Association", and the latter being called the "owners".

WHEREAS, There is presently pending in the 1988 Comprehensive Zoning Map Process, Map Item 6-025, a request by the Owners to reclassify a .17 acre parcel located on the southwest side of Chesley Avenue, northwest of Bel Air Road, which property is presently zoned primarily D.R. 5.5, and which property is further described among other properties; in a deed recorded at Liber 5946 folio 521, and is known as Lot 279 on the Plat of the Overlea Land Company recorded at Plat Book V.W.S. No. 2, folio 77, Property Number 14 02 047375, on Tax Map 81, parcel 748, referring to the portion presently Zoned D.R. 5.5 only hereinafter called "the Property"; and

WHEREAS, The parties hereto desire to conclude an appropriate and amicable agreement of settlement concerning the future use of the Property, and accordingly have entered into this Agreement, with the intent that it be recorded among the Land Records of Baltimore County; and

WHEREAS, In consideration of this agreement, and upon the execution thereof, the Association agrees to withdraw its

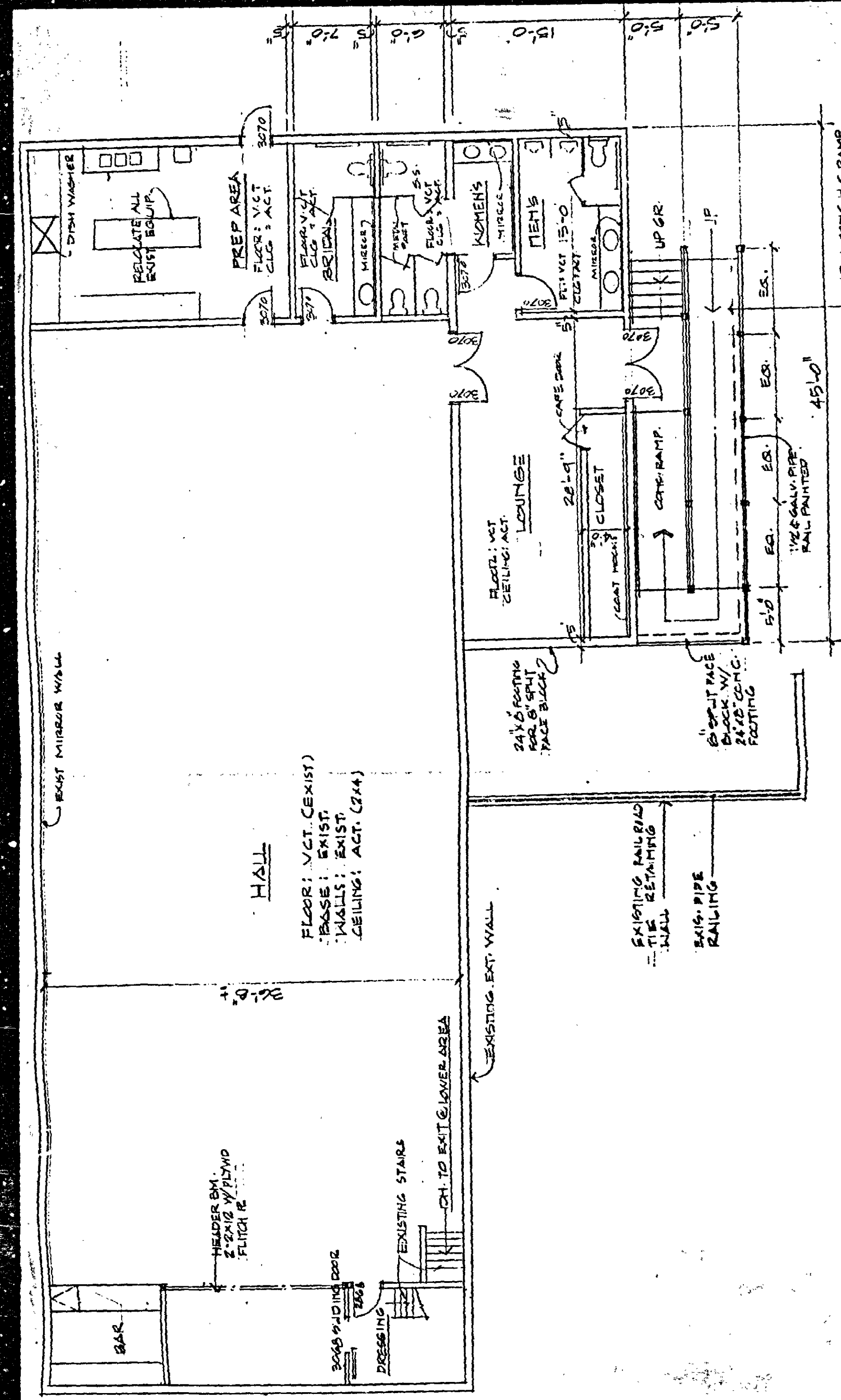
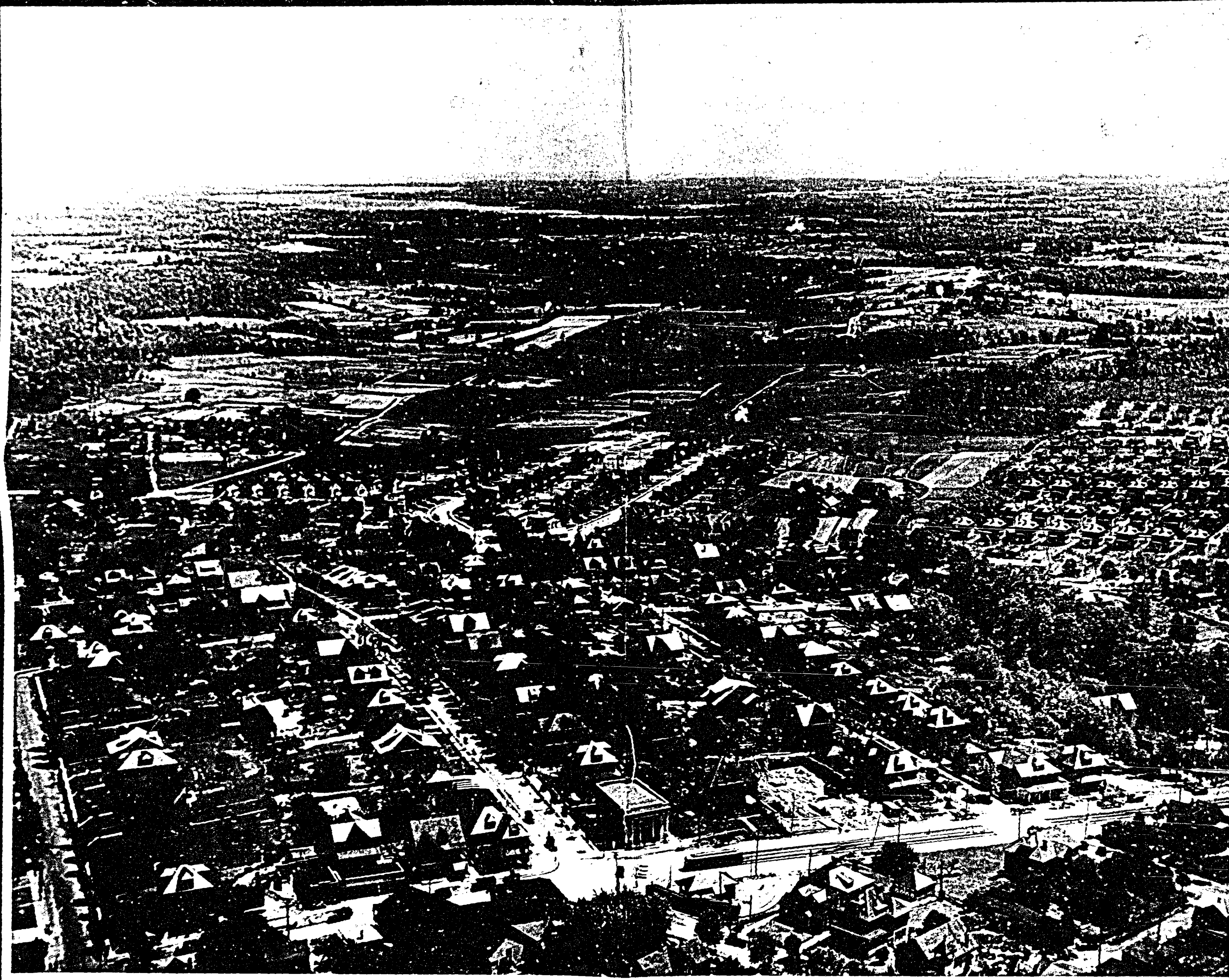
LAW OFFICES  
NOLAN, PLUMHOFF  
& WILLIAMS  
CHARTERED

PLEASE PRINT CLEARLY

PETITIONER(S) SIGN-IN SHEET

NAME	ADDRESS
John Kelly	
Mr. Overlea Community	
Mary C. Jones	11374 Overlea Dr. Baltimore 21206
Antoinette M. Nolas	4305 Edco Ave H 21236
Ann Rasmussen	217 Belair Ave 21236
Robert S. Rasmussen	Rosenblat Woodville INC.
Mike Stappler	6809 Belair Road
Lawrence A. Stappler	6809 Belair Road



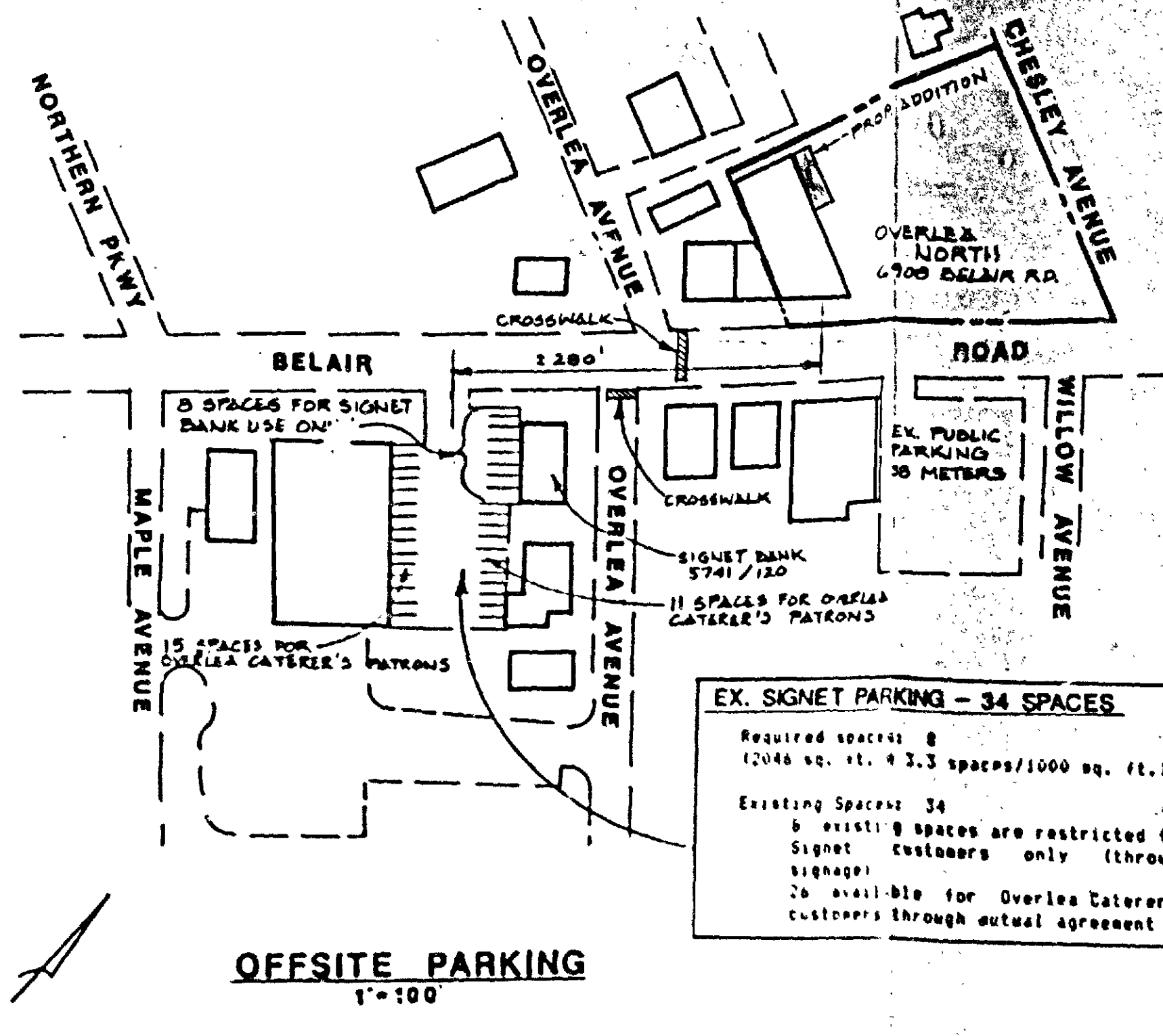


**PETITIONER'S  
EXHIBIT 1**

FLOOR PLAN  
SCALE: 1/8" = 1'-0"

NOTE: AL





**NOTE ON UTILITIES**

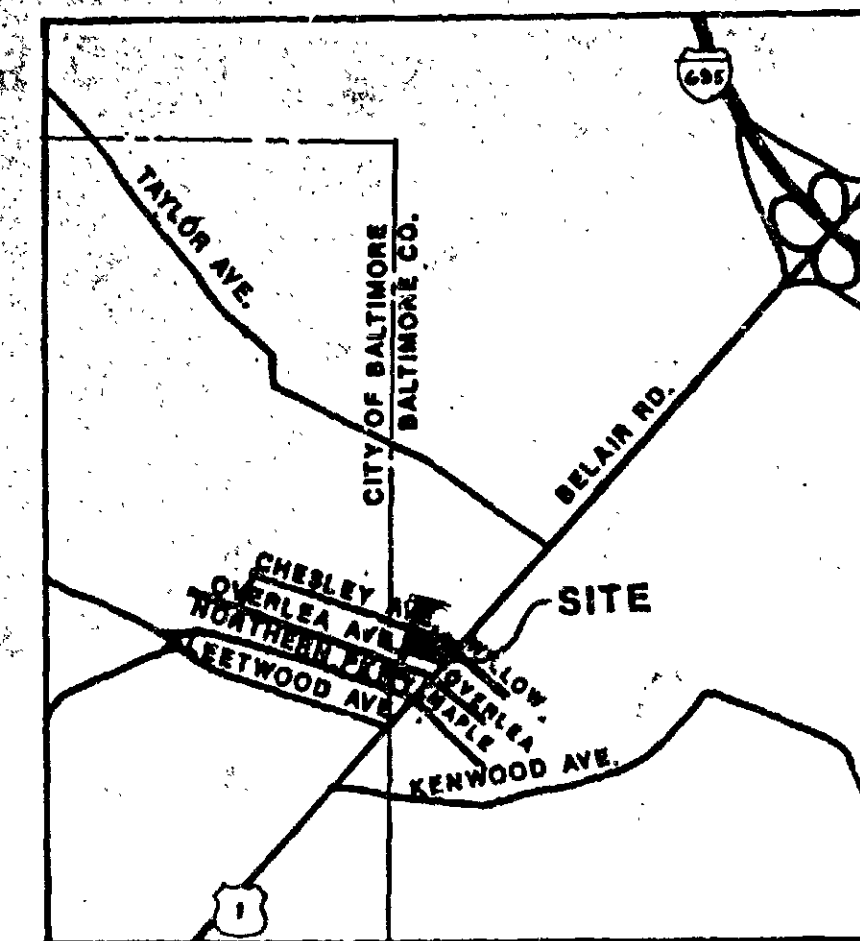
Utilities shown on these plans are for the convenience of the Contractor and do not represent tested locations. The exact location of underground and above ground utilities is unknown. Contractor shall notify Miss Utility at 1-800-257-7777 at least 5 days prior to starting any work shown on these plans. Any discrepancy between existing utilities shown on this plan and actual field conditions shall be reported immediately to Rosenfelt and Woolfolk, Inc. No further construction shall be done in the area of any discrepancy without authorization from a principal of Rosenfelt and Woolfolk, Inc.

The Contractor shall use extreme caution during excavation and/or installation of all work shown on these plans. All utilities shall be fully protected from damage or interruption. If damage or interruption occurs, the utilities shall be restored to original condition by the Contractor at a cost borne by the Contractor. The cost of restoration shall not be incidental to the contract.

**Parking Calculations:**

Type of Use: Catering Facility  
 Existing adjusted gross floor area: 3883 sq. ft.  
 Proposed building additions: 4725 sq. ft.  
 Total adjusted gross floor area: 8608 sq. ft.  
 Calculations: 4558 sq. ft. @ 20 spaces / 100 sq. ft. = 92

Proposed On-Site Spaces: 66  
 Existing Off-Site Spaces: 28  
 Total Proposed Spaces: 92



**VICINITY MAP**  
1"=2000'

**NOTES:**

1. Owner/Developer: Lawrence A. & Beverly R. Shopper, 2410 Valley Way, Cummys Hill, Md. 21112. Design/Engineer: Rosenfelt & Woolfolk, Inc., 10706 Reisterstown Road, Owings Mills, Md. 21117.
2. Election District: 14. Tax Account Numbers: 1001010101; 1000004750. Bond References: 5796/761; 5796/521.
3. Net Site Area: +/- .89 acres (38629.61 sq. ft.). Gross Site Area: +/- 1.68 acres (73348.21 sq. ft.).
4. Handicap-accessible ramps installed as part of the proposed building addition will correct the present lack of barrier free access into the building. The addition will consist of a foyer, restaurant, and client open only.
5. Area zoned BL-CCC +/- .88 acres (37649.41 sq. ft.). Area zoned B.R. 5.5 +/- .92 acres (400 sq. ft.).
6. A catering establishment is not permitted by right in the BL zone. This Special Hearing will establish that the existing catering use and associated parking constitutes a pre-existing non-conforming use.
7. This property has not been the subject of any zoning hearing according to the Office of Zoning.
8. There have been no additions to the building since 1956 or before.
9. The existing building houses catering functions for up to 250 people. The ballroom, foyer, restrooms, cloakroom and food storage area total 3883 sq. ft. Floor proportion is off-site. Mechanical and electrical equipment are housed below-grade. The proposed building addition is 4725 sq. ft. This is an increase in the adjusted gross floor area of 170 and an increase in the gross floor area of 111.
10. **FLAME AREA RATIO:** +/- .13. Gross site area +/- 73348.21 sq. ft. Net site area +/- 38629.61 sq. ft. Total B.R. 5.5: 38629.61 sq. ft. Gross floor area +/- 38629.61 sq. ft. Proposed additions: +/- 4725 sq. ft. Calculations: 4725 / 38629.61 = .12.
11. **Specialty Use Space Ratio:** A.47. Net site area: 38629.61 sq. ft. Density space after improvements: 3137.12 sq. ft. Adjusted gross floor area (proposed): 4358 sq. ft. Calculations: 29481.81 / 4358 = 6.77.
12. Property line data, topographic data, existing structures and utilities are taken from a boundary and topographic survey by APR Associates, Inc., dated 8/18/88.
13. C&G plan or survey is not required according to the Office of Current Planning.
14. Existing wall-mounted sign +/- 22 sq. ft. is to be retained.
15. Overlea Caterers, Inc. has provided a letter of agreement, on Signet Bank Stationing, that the Bank permits Overlea Caterers, Inc. to use their unreserved 20 parking spaces as shown on the Signet Bank Stationing detail this sheet. Signet Bank's hours of operation (Mon.-Fri. 9-2, Sat. 12-7:30) do not overlap with those of Overlea North Caterers.

**SITE PLAN FOR SPECIAL HEARING**  
**OVERLEA NORTH CATERERS**  
 6908 Belair Road  
 Baltimore County, Maryland 21206

<b>PETITIONER'S EXHIBIT 2</b>	REVISIONS:	SCALE: 1"=20'
	DATE: 7/10/89	JOB NO: 223/801
	DESIGNED: J.E.	DRAWN: P.M.
	CHECKED: D.M.	DRAWING NUMBER:
	<b>ROSENFELT &amp; WOOLFOLK INCORPORATED</b> civil engineers • site designers • land planners water quality and stormwater management consultants Suite Eight Owings Mills Professional Center 10706 Reisterstown Road Owings Mills, MD 21117 Telephone: (301) 358-4800	

SHEET 1 OF 1

